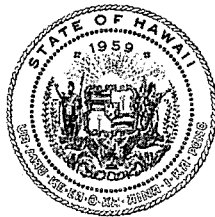
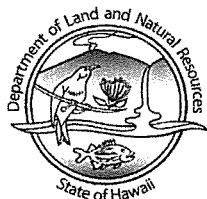


NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

OFFICE OF CONSERVATION AND COASTAL LANDS  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

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BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

REF: OCCL: AJR

CDUA: KA-3714

*Acceptance Date: June 12, 2014*

*180 Day Expiration Date: December 9, 2014*

*JUN 16 2014*

James Fields  
c/o Kalihiwai Investors, LLC  
3762 Kelii Place  
Princeville, HI 96722

**NOTICE OF ACCEPTANCE AND PRELIMINARY ENVIRONMENTAL DETERMINATION  
Conservation District Use Application (CDUA) File No. KA-3714  
(BOARD PERMIT)**

Dear Mr. Fields,

This acknowledges the receipt and acceptance for the processing of your Conservation District Use Application (CDUA) regarding a proposed Single Family Residence (SFR) and associated landscaping located on Tax Map Key (TMK): (4) 5-3-001:016. The project area is located in the Hanalei District, Island of Kaua'i within the State Land Use (SLU) Conservation District *Resource Subzone*.

**DISCUSSION:**

At this time you are proposing to construct a single-story, SFR with a Maximum Developable Area of approximately 4,900 square feet. The development of the SFR will include the placement of a garage, pool, pool decking, landscaping and some minor agricultural uses (i.e., planting of fruit trees). Previous work by the current landowner on the subject parcel includes conducting invasive species removal, minor landscaping of cleared areas, trash and debris removal from previous development and land and resource management; permits and approvals were granted by this office under Site Plan Approval (SPA) permit KA-13-30 and through our correspondence (COR) process under KA-12-50, KA-12-232, KA-13-02, and KA-13-69 for the aforementioned land uses.

Over the past 50 years the subject parcel has been used for both pasturage/animal husbandry and for nursery operations which included the construction of numerous buildings for that land use. While most of the buildings have either been removed by the landowner or destroyed by hurricane Iniki, only one (1) 5000 sq. ft. warehouse building still exists on the subject parcel; although it is slated to be removed by the landowner in the near future. Additional uses on the subject parcel include a potable water well and related facilities which is operated by Princeville Utilities, a private utility regulated by the Hawaii Public Utilities Commission (PUC). The surrounding area contains considerable residential and commercial property development,

including the Princeville Agricultural Subdivision which has numerous homes located adjacent to the subject parcel and are visible from the project area. Wastewater will be addressed using an above-ground, self-contained, anaerobic system which processes all wastewater in an above-ground tank and converts it into non-potable water for irrigation and agricultural uses. The proposed SFR design includes limited grading of the project area, with the aim to maintain the existing contours and runoff patterns of the site to further limit effects to nearby resources. Excavation will include only the areas immediately beneath the proposed dwelling to accommodate a post and pier foundation and the excavation of the pool area; additional earth moving includes the construction of a small berm, located parallel to the roadway, for vegetative screening and to enhance the effectiveness of the native planting.

Besides the development of the SFR and associated structures, the southern portion of the project area, ~1.25 acres, is being proposed as an orchard area for the planting of fruit trees and other native plants for personal use only; at this time no commercial activities are proposed. The "orchard area" will be planted with approximately 75% semi dwarf, tropical fruit trees of mixed variety and 25% with comparable sized native trees (i.e., Kou, Puakenikeni, and Lau Hala).

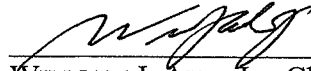
#### **ANALYSIS:**

- The proposed construction of a Single Family Residence and associated development is an identified land use in the Conservation District Resource Subzone pursuant to Hawaii Administrative Rules (HAR) §13-5-24, R-7 (D-1) *A single family residence that conforms to design standards as outlined in this chapter; and*
- The proposed development of ~1.25 acres of orchard agriculture is an identified land use in the Conservation District Resource Subzone pursuant to HAR §13-5-23, L-1 (D-1) *Agriculture, within an area of more than one acre, defined as the planting, cultivating, and harvesting of horticultural crops, floricultural crops, or forest products, or animal husbandry. A management plan* (pursuant to HAR §13-5, Exhibit 3) *approved simultaneously with the permit, is also required.* As always the decision to approve or deny these proposed land uses will rest with the Board of Land and Natural Resources (BLNR);
- In conformance with Chapter 343, Hawaii Revised Statutes (HRS), as amended, and Chapter 11-200, HAR, an Environmental Assessment (EA) document will be required for this proposed use;
- Pursuant to HAR §13-5-40 Hearings, a public hearing is not required for this project; and
- While it appears the project area is located outside the County of Kaua'i Special Management Area (SMA) an SMA determination, provided by the county, will be required for this application review.

The OCCL will submit a copy of the submitted proposal and EA for publication in the next available edition of the Office of Environmental Quality Control's *Environmental Notice*.

Should you have any questions on this correspondence, please contact Alex J. Roy, M.Sc. of the Office of Conservation and Coastal Lands staff at 808-587-0316 or via email at [alex.j.roy@hawaii.gov](mailto:alex.j.roy@hawaii.gov)

Sincerely,



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WILLIAM J. AILA Jr., Chair  
*Board of Land and Natural Resources*

CC: *Kaua'i Land Board Member*  
*KDLO*  
*SHPD*  
*DOFAW*  
*County of Kaua'i – Planning Department*